



Appeal Decision

Site visit made on 21 August 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025

Appeal Ref: APP/U1620/Z/25/3369296

155 Bristol Road, Gloucester, Gloucestershire, GL1 5SY

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent to display an advertisement.
 - The appeal is made by Wildstone Estates Ltd against the decision of Gloucester City Council.
 - The application reference is 25/00234/ADV.
 - The development proposed is replacement of paper and paste display with 1 no. internally illuminated digital advertisement (displaying multiple static advertisements on rotation).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.

Main Issue

3. The main issue is the impact of the proposal upon the amenity of existing and future residents of 157 Bristol Road.

Reasons

4. The appeal site is a detached building which stands in a corner plot at the junction of Bristol Road and Granville Street with the use of the site noted as a café and a used car dealership. The side of the host building displays an existing paper and paste advertisement noted to be similar in dimensions to the proposal that is before me for an internally illuminated digital advertisement. Immediately opposite the elevation, to which the advertisement is/would be attached, (across Granville Street) is 157 Bristol Road (no. 157) which is in use as a residential dwelling.
5. At the time of my site visit I noted that Bristol Road itself is characterised by a mixture of residential properties and ground floor retail/commercial units (with residential flats above). The Council found that the proposal is acceptable in all other regards and that the site is, in more general terms, where advertising of this type would typically be found and that there are examples of digital advertisements in close proximity to the surrounding area including that along Bristol Road. I have no reason to conclude differently on these matters .
6. I do not find the type of advertisement inappropriate or uncharacteristic for/within a general suburban context, however, advertisements in such locations are still subject to control in the interests of amenity and public safety. I find that the refusal

reason stated by the Council is specific only to the impact upon the amenity of existing and future residents of no. 157 due to the close proximity to windows serving habitable rooms at the residential property. This was not on public safety grounds but on the grounds of amenity.

7. At the time of my site visit the proximity of the proposal to the relevant elevation of no. 157 was evident – a short distance separated by Granville Street, and associated pavements, itself. The Council confirm that the two windows on the elevation which would face the proposal serve a bedroom and that the bedroom in question is not served by any other windows on other elevations. This is not challenged by the appellant. The other window, to the right-hand side, is a further room which whilst not being utilised for habitable purposes at the point of determination could be utilised as a habitable room by future occupants who must also be taken into account within the consideration of this proposal.
8. As previously outlined the proposal would be of similar dimensions to the existing paper and paste advertisement but would, as an illuminated digital advertisement, display a series of static advertisements on a rotating basis. Illumination would vary during the day (compared to from dawn to dusk), however, there would still be some form of illumination in comparison to the existing paper and paste advertisement board which would be in the region of 12 to 13 metres away from the habitable windows of no. 157. I note that there is existing lighting/flood lighting, along Granville Street, which illuminates the car dealership. Whilst, during the winter, such lighting would be utilised during hours of darkness or reduced daylight I have no evidence before me to suggest that this would go beyond reasonable working hours in a manner which would justify the advertisement immediately opposite the habitable room windows which have been identified.
9. I note the assessment/objection from Worcestershire Regulatory Services (WRS) as the Council's external environmental health consultee, however, my assessment, whilst it takes into account the consultee comments, is based upon the information before me and my observations during my site visit. The new display could appear as a traditional paper and paste hoarding during daylight hours but as acknowledged by the appellant, the proposal would result in the introduction of an illuminated advertisement to the area during the hours of darkness. I acknowledge the existing lighting within the vicinity of the proposal, as discussed above, but I do not find that this would result in the introduction of an illuminated advertisement immediately opposite residential dwellings, in close proximity, to be acceptable.
10. I note comments regarding conditions imposing a curfew on illumination hours and a reduced level of illuminance, however, I do not find that such conditions would reasonably overcome the inappropriateness of locating a digital advertisement in this location (in terms of residential amenity). Illumination aside the proposal would display multiple static advertisements on rotation and whilst I understand that the changeover, between advertisements, can essentially be instant I find this still results in general activity, illuminance and impacts which would be unacceptable in such close proximity to facing habitable room windows. Furthermore, whilst I have considered the condition outlined with regard to such matters, I have concern with regard to the reasonable enforceability of such conditions which would reasonably be required to implement them as appropriate to make the development acceptable in all regards. Paragraph 57 of the National Planning Policy Framework 2024 (the

Framework) is clear that, amongst other matters relating to planning conditions, they should only be imposed where they are enforceable.

11. The benefits of digital advertising are acknowledged as are the wider public benefits, but I do not find that the public benefits could reasonably or fairly outweigh the living conditions of immediately adjacent occupiers. The proposed signage, in this case, would be located notably close to windows serving a residential property and whilst I acknowledged the mix of residential and commercial use, the amenity of those living in the area is a key consideration in the context of such proposals and their ability to live, acceptably, alongside commercial and retail operations. Advertisement consent, generally, is noted to be a lighter approach but the matters relating to amenity are a fair and clear consideration within the proposal before me that I find would cause unacceptable harm to the amenity of adjacent occupiers.
12. Overall, the proposal would introduce an illuminated advertisement in lieu of an existing paper and paste display and I find that this would adversely impact upon the amenity of existing and future residents of no. 157 as a result of its positioning in very close proximity to windows serving habitable rooms at a residential property. I find that the residents outlook from the windows would be dominated by a large, illuminated, advertisement which would be combined with advertisements changing on rotation further contributing to general impact as a result of the proposals.
13. The proposal would be inconsistent with Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 Policy SD14 which requires that new development must not cause unacceptable harm to local amenity including the amenity of neighbouring occupants as well as being inconsistent with paragraph 135(f) of the Framework which requires that decisions should ensure that developments create places with a high standard of amenity for existing and future occupiers and paragraph 141 which confirms advertisements should be subject to control in the interests of amenity.

Conclusion

14. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR